

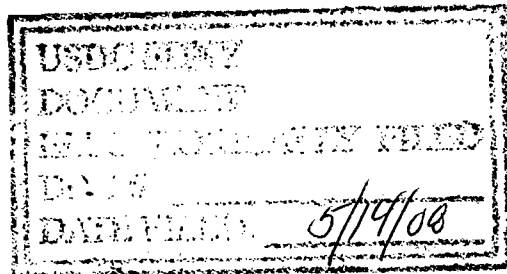
# Thacher Proffitt

## MEMO ENDORSED

Thacher Proffitt & Wood LLP  
Two World Financial Center  
New York, NY 10281  
212.912.7400

Fax: 212.912.7751  
www.tpw.com

Direct Dial: 212.912.7966  
clynch@tpw.com  
Admitted in NY, NJ



May 14, 2008

**VIA FACSIMILE**

Kevin Nathaniel Fox  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
40 Centre Street, Room 540  
New York, NY 10007

Re: DB Structured Products, Inc. v. Baltimore American Mortgage Corporation  
U.S.D.C. S.D.N.Y.; Case No. 07-CV-4109 (DLC) (KNF)

Dear Magistrate Judge Fox,

We represent Plaintiff DB Structured Products, Inc. ("DBSP") in the above-referenced matter. We write in connection with the Court's April 21, 2008 Order directing DBSP to prepare and file certain papers in support of its damages claim against Defendant on account of Defendant's default and respectfully request a 30 day extension to the deadlines set in such Order. As Your Honor may be aware, the Defendant in this action was defaulted by Judge Denise L. Cote when it failed to replace its counsel following his withdrawal. To date, no substitution counsel has appeared in this case and we do not believe that DBSP's application for a default judgment will be contested by the Defendant. In addition to copying Defendant, and the purchaser of its stock, on this letter request, we will also serve any endorsed letter Your Honor enters on the foregoing parties.

In advance, we thank Your Honor for your consideration of this request and ask that you do not hesitate to contact me if you have any questions.

5/14/08

Respectfully submitted,

*Christopher A. Lynch*  
Christopher A. Lynch

*As much as the plaintiff has not set forth any reason for its request for an order enlarging the time for its request submissions, the application is denied.*

*SO ORDERED:*

*Kevin Nathaniel Fox*  
KEVIN NATHANIEL FOX, U.S.M.J.

Kevin Nathaniel Fox  
May 14, 2008

Page 2

cc: Baltimore American Mortgage  
Corporation, Inc.  
7484 Candlewood Road  
Hanover, Maryland 21076

Xylen Corporation  
Attn: Scott Dantuma  
7484 Candlewood Road  
Suite F  
Hanover, Maryland 21076